

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	Case No. 8:13CR105
)	
Plaintiff,)	AFFIDAVIT IN SUPPORT OF MOTION
)	FOR ISSUANCE OF SUBPOENA
-vs-)	IN FORMA PAUPERIS
)	
TIMOTHY DEFOGGI,)	
Defendant.)	

John S. Berry, being first duly sworn, states that:

1. I have been appointed to represent the Defendant because the Defendant is without funds to pay for the defense of his case.
2. The Defendant intends to subpoena Dan Bright to offer testimony on Defendant's behalf at the trial of this matter.
3. Accompanying the Motion for Issuance *In Forma Pauperis* is a completed subpoena for each witness to testify for the Defendant in this case.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed on this 28th day of July, 2014.

Timothy Defoggi, Defendant

By: /s/ John S. Berry
John S. Berry, #22627
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Lincoln, NE 68508
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon Michael Norris, Assistant U.S. Attorney and Keith A. Becker, U.S. Department of Justice, by electronically serving a copy of the same to both via CM/ECF, on this the 28th day of July, 2014.

/s/ John S. Berry
John S. Berry, #22627